

UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF FLORIDA
FORT MYERS DIVISION

ANDRE BARRY,

Plaintiff,

v.

Case No. 2:19-cv-00510-JLB-NPM

COMMISSIONER OF SOCIAL SECURITY,

Defendant.

ORDER

After reviewing the parties' status reports (Docs. 29–30), the Court modifies its previous stay order (Doc. 28) as follows:

1. The stay will continue pending the Eleventh Circuit's decision in Perez v. Commissioner of Social Security, Appeal No. 19-11660 (filed Apr. 29, 2019), and Lopez v. Acting Commissioner of the Social Security Administration, Appeal No. 19-1174 (filed May 3, 2019). or, should the appeals in those cases be dismissed, pending the Supreme Court's opinion in Davis v. Saul, 963 F.3d 790 (8th Cir. 2020), cert. granted, 2020 WL 6551772 (U.S. Nov. 9, 2020) (No. 20-105) and Carr v. Commissioner, SSA., 961 F.3d 1267 (10th Cir. 2020), cert. granted, 2020 WL 6551771 (U.S. Nov. 9, 2020) (No. 20-105).

2. The parties are to advise this Court as soon as they learn of any important developments in any of the aforementioned cases and shall continue filing status reports every sixty days.

3. In all other respects, the previous stay order will remain unchanged, and the case will remain administratively closed.

ORDERED in Fort Myers, Florida, on January 21, 2021.

A handwritten signature in black ink, reading "John L. Badalamenti". The signature is written in a cursive style with a large, looping initial "J".

JOHN L. BADALAMENTI
UNITED STATES DISTRICT JUDGE